

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NORTH CAROLINA
RALEIGH DIVISION**

IN RE:

CASE NO. 19-02693-5-DMW

TONEY LEE ARRINGTON

DEBTOR .

CHAPTER 13

DEBTOR'S VERIFIED MOTION TO EXTEND AUTOMATIC STAY

Now come the Debtor, by and through counsel, and move this court to order, under 11 U.S.C. § 362(c)(3), that the full protections of the automatic stay be extended in this case until terminated under 11 U.S.C. § 362(c)(1) or (2), or until further order of the court. In support of this motion, the Debtor shows the court as follows:

1. The Debtor filed the above-captioned case on June 12, 2019.
2. On September 7, 2018 the Debtor filed a prior chapter 13 case bearing the assigned Case No. 18-04620-5-JNC, in the Eastern District of North Carolina. The court dismissed that case on April 8, 2019. The dismissal of the prior case was because of the following:
 - ☒ Debtor had his hours reduced because he was injured and unable to work. Debtor did receive some income during this time due to accrued vacation. However, due to his injury he was unable to work his customary overtime. This resulted in a net loss of approximately \$2,200 per month.
3. The Debtor's circumstances have substantially changed because:
 - ☒ Debtor's injury no longer prevents his regular work, and his customary overtime. He has returned to his regular employment and his customary overtime. Debtor's income currently is \$2,200 to \$2,600 bi-weekly.
4. As required by E.D.N.C. LBR 4001-1 (d)(1), this motion:
 - ☒ is filed within five (5) days of the petition date
5. The Debtor has demonstrated by clear and convincing evidence that the current case is filed in good faith. The Debtor's circumstances have substantially changed so that the reason for dismissal in the prior case is not likely to recur and this case can be completed.

Wherefore, the Debtor prays for the court to enter an order extending the automatic stay as to all creditors until it would terminate under 11 U.S.C. §§ 362(c)(1) or (2), or until further order of the court, and for such further relief as the court deems just and appropriate.

Dated: June 13, 2019

/s/ Leslie Locke Craft
LESLIE LOCKE CRAFT
Attorney for Debtor
N. C. State Bar # 13021
3202 B Sunset Avenue
Rocky Mount, NC 27804
(252) 443-0885

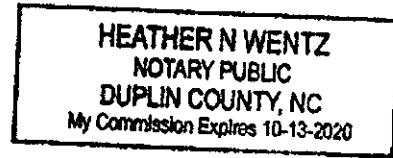
DECLARATION

Under penalty of perjury, I, Toney Lee Arrington, hereby certify that I have personal knowledge of all the information contained in the pleading above and all information is true and accurate, to the best of my knowledge.

Toney Lee Arrington
Toney Lee Arrington

Sworn and subscribed to me this the 13 day of June, 2019
Heather N Wentz
Notary Public

Notary Seal



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UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NORTH CAROLINA
RALEIGH DIVISION

AFFIDAVIT

In re: TONEY LEE ARRINGTON
Debtor

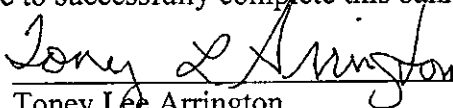
Case No. *19-02693-5-DMW*
Chapter 13

I am the debtor in the above referenced bankruptcy case. Debtor filed a previous bankruptcy petition on September 7, 2018, case number is 18-04620-5-JNC and the case was dismissed on April 8, 2019. The purpose of this bankruptcy was to stop foreclosure and catch up on house payments. My monthly payment was \$1,781. When I filed this petition, I was employed at Honeywell earning \$31.52 per hour. I was also working a significant amount of overtime regularly earning \$1,000 to \$1,200 every two weeks.

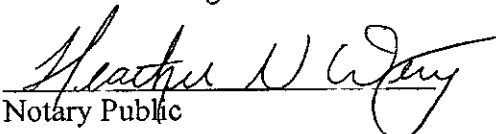
I fell behind in my Chapter 13 Plan payment due to a decrease in hours that I was able to work last Fall. I was injured and unable to work. I did receive some income during this time due to accrued vacation. However, since I was injured I was unable to work my customary overtime. This resulted in a net loss of approximately \$2,200 per month. I was unable to meet my household expenses and make my plan payments.

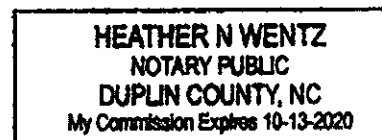
My circumstances have now changed in that my injury no longer prevents my regular work. I have returned to my regular employment and my regular overtime. My total income is currently \$2,200 to \$2,600 bi-weekly.

The purpose of this bankruptcy filing is to allow me to catch up on my mortgage payments. I believe that I will be able to successfully complete this bankruptcy.


Toney Lee Arrington

Sworn to and subscribed to before me
This 13 day of June, 2019


Notary Public



My commission expires: 10-13-20

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NORTH CAROLINA
RALEIGH DIVISION**

IN RE:

CASE NO. 19-02693-5-DMW

TONEY LEE ARRINGTON

DEBTOR

CHAPTER 13

NOTICE OF MOTION

TO: PARTIES IN INTEREST

NOTICE IS HEREBY GIVEN of the Motion to Extend of Automatic Stay and Notice of Motion filed herewith by Debtors in the above captioned case; and

FURTHER NOTICE IS HEREBY GIVEN that if you fail to respond or otherwise plead or request a hearing within **14 days** from the date of this notice, the relief requested in the Motion may be granted without further hearing or notice; and

FURTHER NOTICE IS HEREBY GIVEN that if a response and a request for a hearing is filed by the parties in interest named herein in writing within the time indicated, a hearing will be conducted on the **Motion on Thursday, July 11, 2019 at 10:30am at United States Bankruptcy Courthouse, 150 Reade Circle, Greenville, NC 27858.**

DATE OF NOTICE: June 13, 2019

/s/ Leslie Locke Craft
LESLIE LOCKE CRAFT
Attorney for Debtor
N. C. State Bar # 13021
3202 B Sunset Avenue
Rocky Mount, NC 27804

CERTIFICATE OF SERVICE

This is to certify that the foregoing Motion To Extend Automatic Stay and Notice of Motion were served upon:

Toney Lee Arrington
2482 Tom George Road
Nashville, NC 27856

served by U.S. mail

John F. Logan, Trustee

served electronically

See attached creditor matrix

served by U. S. mail

By depositing the same in a postpaid wrapper properly addressed to each such party or his attorney of record in a post office or other depository under the exclusive care and custody of the United States Postal Service and/or by electronic mail, if applicable.

DATE: June 13, 2019

/s/Leslie Locke Craft
LESLIE LOCKE CRAFT
3202 B Sunset Avenue
Rocky Mount, NC 27804
Telephone: (252) 443-0885

1st International Loan
po box 708368
Sandy, UT 84070

Inbox Loan
po box 881
Santa Rosa, CA 95402

Nash County Tax Collector
120 W Washington St, Ste 2058
Nashville, NC 27856

ABC Loans
416 N Air Depot Blvd
Oklahoma City, OK 73110

Internal Revenue Service
Post Office Box 7346
Philadelphia, PA 19101-7346

North Carolina Dept. of Revenue
Attn: Bankruptcy Unit
Post Office Box 1168
Raleigh, NC 27602-1168

Altair OH XIII, LLC
c/o Weinstein, Pinson & Riley, PS
2001 Western Blvd Suite 400
Seattle, WA 98121

Joyce Arrington
1340 Dogwood Ave
Rocky Mount, NC 27804

Preston Hart
2117 Beekman Place
Wilson, NC 27896

American Info Source
PO Box 5008
Ste 400
Carol Stream, IL 60197

Lendgreen
po box 221
Lac Du Flambeau, WI 54538

Ray Masssengal
2638 Stricklands Crossroads Rd
Four Oaks, NC 27524

Barclays - FDIC
po box 8803
Wilmington, DE 19899

Loan Max
2596 Cherry Road
Rock Hill, SC 29732

Spot Loan
c/o BlueChip Financial
po box 720
Belcourt, ND 58316

Delbert
po box 370
Timber Lake, SD 57656

LVNV Funding LLC
PO BOX 10584
Greenville, SC 29603

Target Cash Now
po box 581
Hays, MT 59527

Employment Security Commission of NC
Post Office Box 26504
Raleigh, NC 27611-6504

Maxland
po box 639
Parshall, ND 58770

UNC Health Care
po box 1123
Minneapolis, MN 55440

EZ Payday Cash
4760 South Highland Drive
Suite 654
Salt Lake City, UT 84117

My Loan Site
po box 188
Fort Thompson, SD 57339

US Attorney, Civil Process Clerk
310 New Bern Ave
Ste. 800, Federal Bldg.
Raleigh, NC 27601-1461

Hunovel Law Firm
501 Minuet Lane, Ste 104A
Charlotte, NC 28217

Nash County Clerk of Court
PO Box 759
Nashville, NC 27856

Vanderblit Mortgage & Finance, In
Attn: Officer or Managing Agent
Post Office Box 9800
Maryville, TN 37802

Zoco Loans
po box 1147
Martin, SD 57551